

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 29, 2010
POSITION: Neutral
SPONSOR: University of California

BILL NUMBER: AB 2133
AUTHOR: R. Niello

BILL SUMMARY: Geologic Hazards: Earthquake Fault Zoning

The Alquist-Priolo Earthquake Fault Zoning Act (Act) provides for the adoption and administration of zoning laws, ordinances, rules and regulations by cities and counties to prohibit the location of developments and structures across the trace of active faults. SB 113 (Ch. 332/09) amended this portion of the Act to exempt projects relating to structures owned and operated by state entities and agencies listed on the California Register of Historical Resources or the National Register of Historical Places.

This bill would restore the Act to the pre-SB 113 amendments that raised questions as to the applicability of the Act to the state, including the University of California, and clouded the issue of the state's sovereignty in this area. The bill further provides un-codified clarification that the Act does not apply to the University of California's Berkeley campus, including the California Memorial Stadium.

FISCAL SUMMARY

This bill would have no fiscal impact.

COMMENTS

This bill would have no fiscal impact and concerns a policy matter on which we are neutral. Finance worked with the author's office in the drafting of these amendments. Further, Finance notes that the SB 113 signing message required the University of California and the Department of Conservation to correct the broad sweeping nature of the amendments to exempt all state projects from the Act. These amendments restore the Act, which never applied to state projects, and provides an un-codified clarification that the Act does not apply to the University of California at Berkeley California Memorial Stadium.

The author's office notes that the last amendments dropped the urgency clause because of an oversight on timely submission of a letter to rules asking for permission for the urgency clause first. The author's office states its goal is to have the urgency clause added by the time the bill reaches the floor.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	
3480/Conservation	SO	No		-----	No/Minor Fiscal Impact	-----			0338
<u>Fund Code</u>	<u>Title</u>								
0338	Strong-Motion Instrumnt & Seismic Mappng								

Analyst/Principal (0680) T. Gunn	Date	Program Budget Manager Karen Finn	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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